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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))		Docket No. 41587/397
In Re Application: Robert Kopetzky		
Serial No. TBA	Filing Date Herewith	Examiner TBA
Group Art Unit TBA		
Title: Multi-Way Adjustment Device for a Seat Component and/or a Cable		
Payment of Fee (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))		
<input type="checkbox"/> A check in the amount of \$ _____ is attached. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. 08-3460 as described below. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> Charge the amount of \$ _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.		
 Signature		Certificate of Mailing by Express Mail I certify that this document and fee is being deposited on December 6, 2005 with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 and addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22131-1450 <u>Express Mail No.: EV697643364US</u>
Grant D. Kang, 37,651 Husch & Eppenberger, LLC 190 Carondelet Plaza St. Louis, MO 63105 314-480-1500 314-480-1505 FAX Date: December 6, 2005		 Signature of Person Mailing Correspondence Karen K. Sonsteb Typed or Printed Name of Person Mailing Certificate
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In Re Application Of:

Robert Kopetzky et al.

Serial No.	Filing Date	Examiner	Group Art Unit
TBA	Herewith	TBA	TBA

Title:

Multi-Way Adjustment Device for a Seat Component and/or a Cable

Address to:
MAIL STOP
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22131-1450

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

COMMENTS ON THE CITED REFERENCES

English abstract of DE 102 03 563 A1

Patent application DE 102 03 563.6 was filed on January 29, 2002 and published on August 7, 2003. Consequently, DE 102 03 563 A1 has a filing date earlier than the filing date of international patent application PCT/EP2004/006116, but it was published between the priority date and the filing date of international patent application PCT/EP2004/006116. Since the application documents of international patent application PCT/EP2004/006116 substantially correspond to those of the German priority application, the priority is validly claimed by the international patent application, and consequently DE 102 03 563 A1 does not constitute relevant state of the art with respect to the subject-matter claimed by the international patent application.

For the sake of completeness, it should be noted that DE 102 03 563 A1 discloses an adjustment device for adjusting a seat element, e.g. a backrest, armrest or headrest etc. Furthermore, the adjustment device uses mechanical energy storage means which absorb mechanical energy in case the seat element is displaced in a first adjustment direction, whereas a movement of the seat element in a second adjustment direction is assisted by the release of the mechanical energy previously absorbed by the mechanical energy storage means. The mechanical energy storage means may comprise a pneumatic spring or a pressure spring, for example (see column 1, lines 13-45 of this document).

The adjustment device is not used for adjusting the width of a backrest of a seat, e.g. in a seat bolster system.

English abstract of DE 196 03 911 C2

This document relates to a fold-away backrest of a seat, in particular a seat of a motor vehicle.

The adjustment device comprises an energy storage 16, preferably in the form of a compression spring, which absorbs mechanical energy when the backrest is folded down so that the mechanical energy storage 16 can assist a re-adjustment of the backrest when the backrest is brought into an upright position again (see claims 5-7 of this document, for example).

English abstract of DE 37 01 058 A1

This document relates to a fold-away sofa.

A fold-away cushion seat 4 of the sofa is coupled to an elasto-mechanical energy storage 9 which absorbs mechanical energy when the cushion seat 4 is folded away with respect to the frame of the sofa 1. The energy storage may in particular comprise a tension spring 9 or a pneumatic spring. The mechanical energy absorbed by the energy storage is used to assist the re-adjustment of the cushion seat 4 in the opposite adjustment direction (see claims 1-6 of this document).

English abstract of DE 299 03 389 U1

This document relates to a seat of a motor vehicle having a seat depth adjustment.

The seat depth adjustment is performed by means of a drive unit 3, and a spring element 5 is tensioned between a seat frame 1 and the seat element to be adjusted for the seat depth adjustment. The drive unit 3 displaces the seat element 2 against the force direction of the spring element 5, which is preferably a tension spring, so that the spring element assists a re-adjustment of the seat element 2 into its initial position (see page 4, second paragraph and claims 1-5 of this document).

/Laurie Cranmer/

05/26/2009